WPSS No. 935 of 04:

Hon'ble M.M. Ghildiyal, J.

Heard Sri Vijay Bhatt, learned counsel for the petitioner, Sri J.P. Shah, learned Standing Counsel for the State of Uttaranchal and Smt. Beena Pandey learned Standing Counsel for State of U.P.

Sri J.P. Shah, learned Standing Counsel for State of Uttaranchal submits that he has received instructions that the petitioner has already been granted revised pension on the average pay of Rs. 5191/-. In the writ petition, the petitioner has itself admitted that on the date of his retirement the last pay and average pay was Rs. 5500/- and 5191/- respectively.

Since the petitioner has already been granted pension on the average pay, which admittedly is Rs. 5191/-, thus, there is no justification or requirement to pass further order in the prevailing circumstances.

The writ petition has rendered infructuous. Accordingly, the petition is dismissed being infructuous.

(M.M.G., J.)

28.11.2006:

NCM: